

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/524,484	Applicant: Glen Ernst, et al.
371 Filing Date: February 14, 2005	Attorney Docket No.: 100793-1P US
Examiner: Brenda Libby Coleman	Group Art Unit : 1624
Customer No.: 22466	Confirmation No.: 8633
Title: Biaryl Diazabicycloalkane Amides as Nicotinic Acetylcholine Agonists	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir,

Applicants submit herewith a list of patents and publications pursuant to the duty to disclose in accordance with 37 C.F.R. § 1.56.

In accordance with 37 C.F.R. § 1.97 (g) and (h), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or that the information cited is material to patentability as defined in 37 C.F.R. § 1.56.

In accordance with the U.S. Patent Office's partial waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), only copies of the foreign patent documents and non-patent publications are enclosed.

No English version of NL Patent No. 6501367 is available. For the convenience of the Examiner, Applicants list a copy of US Patent No. 3281423 that is the US equivalent of NL Patent No. 6501367.

### REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☐ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a **final Action** or a **Notice of Allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☒ the Commissioner is hereby authorized to charge the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00** to Deposit Account No. 26-0166 referencing Attorney Docket No. 100793-1P US, or
- ☐ (3) after the mailing date of a **final Action** or **Notice of Allowance** but before the payment of the **Issue Fee, AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the Commissioner is hereby authorized to charge the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00** to deposit account No. \_\_\_\_\_, referencing Attorney Docket No. \_\_\_\_\_, or

It is respectfully requested that each of the patents and publications listed on the attached Form SB08, and other information contained herein, be considered by the Examiner and made of record in this application

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that:

- ☐ (1) Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ (2) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

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Dated: Michael A. Patané  
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Enclosures: Form SB08